IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO. 1131 OF 2006
IN
SUIT NO. 539 OF 2006

Shyam Jaisingh Roopchand & anr. ... Plaintiffs

V/s

Anil Construction Corporation & ors. ... Defendants

Mr. A.B. Nagvekar i/by Soloman & Co. for the plaintiffs.

Mr. D.H. Mehta with N.M. Mehta for defendant Nos. 1 and 2.

CORAM: DR. D.Y. CHANDRACHUD, J.

DATED: 31ST AUGUST, 2006

P.C.:

1. This chamber summons is taken out on behalf of defendant Nos. 1 and 2 for taking the written statement on record. The written statement was verified on 29th February, 2000. In fact, from Exh.2 to the affidavit in support of the chamber summons, it appears that the written statement was also served on the plaintiff on 29th February, 2000. There is an endorsement of acceptance by the plaintiff's advocate which has been thereafter scored out. According to the first and second defendants, the plaintiffs had, after perusing

the written statement, returned the written statement to the first and second defendants.

2. Having regard to all these facts, I am of the view that the ends of justice would be met if opportunity is granted to the defendants to file their written statement which shall be subject to the payment of costs quantified at Rs.5,000/-. The costs shall be paid within a period of two weeks from today. Subject to that, the written statement is accordingly permitted to be taken on record and the delay is condoned.

2. Chamber summons is disposed of.

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